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UNCLASSIFIED PTQ4485

PAGE 01 HANOI 02088 01 OF 02 270722Z
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SUBJECT: STAFFDEL REES MEETINGS WITH SRV OFFICIALS ON RELIGIOUS AND MINORITY AFFAIRS

¶1. (SBU) SUMMARY. COUNSEL TO THE HOUSE COMMITTEE ON INTERNATIONAL RELATIONS JOSEPH REES AND CHIEF OF STAFF TO THE HOUSE MAJORITY LEADER BRIAN GUNDERSON MET WITH OFFICIALS OF THE GVN'S COMMITTEE ON RELIGION AND THE COMMITTEE FOR ETHNIC MINORITIES AND MOUNTAINOUS AREAS AUGUST 10, ACCCOMPANIED BY POL/C AND HCMC POLOFF, TO CONVEY CONGRESSIONAL CONCERN ABOUT FREEDOM OF RELIGION AND THE RIGHTS OF MINORITIES AND TO DISCUSS RECENT
UNCLASSIFIED

PAGE 02 HANOI 02088 01 OF 02 270722Z
EVENTS. VIETNAMESE INTERLOCUTERS HEWED TO STANDARD REITERATIONS OF THE RIGHTS GUARANTEED UNDER THE VIETNAMESE CONSTITUTION ALONG WITH OBSERVATIONS OF THE NEED FOR ALL CITIZENS TO COMPLY WITH RELEVANT LAWS. THE STAFFDEL REQUESTED RELEASE OF SOME PROMINENT RELGIOUS LEADERS AS ACTS OF COMPASSION BY THE GVN. SEPTELS WILL COVER OTHER MEETINGS DURING THEIR SCHEDULE. END SUMMARY.

GVN COMMITTEE ON RELIGION

¶2. (SBU) IN A MEETING WITH CHIEF OF STAFF LE DINH HIET AND STAFF MEMBERS, MR. REES SAID THAT RELIGIOUS ISSUES IN VIETNAM WERE MUCH ON THE MINDS OF MEMBERS OF CONGRESS AS THE US AND VIETNAM CONTINUE THE PROCESS OF FULL NORMALIZATION OF RELATIONS. NOTING THAT THE VIETNAMESE CONSTITUTION PROVIDES IMPRESSIVE GUARANTEES OF FREEDOM OF RELIGION WHILE INCLUDING PROHIBITIONS ON USING RELIGION TO INJURE NATIONAL UNITY, HE INQUIRED ABOUT THE RIGHTS OF THOSE INDIVIDUALS WHOSE RELIGIOUS PRACTICES OR HIERARCHIES WERE DIFFERENT FROM THE GOVERNMENT-APPROVED ONES, SUCH AS WITH CERTAIN HOA HAO FOLLOWERS.

¶3. (SBU) MR. HIET DESCRIBED VIETNAM AS A MULTI-RELIGION NATION WITH CONSTITUTIONAL GUARANTEES ON FREEDOM OF RELIGION WITHIN THE FRAMEWORK OF LAW. HE EXPLAINED THAT USE OF RELIGION TO SPEAK ILL OF OTHER RELIGIONS OR THE STATE WAS, FOR EXAMPLE, ILLEGAL AND COULD LEAD TO DISUNITY. HE DESCRIBED HOA HAO FOLLOWERS AS ORDINARY CITIZENS WHO COULD FULLY PARTICIPATE IN
UNCLASSIFIED

PAGE 03 HANOI 02088 01 OF 02 270722Z
VIETNAM'S POLITICAL, ECONOMIC, AND SOCIAL LIFE, AND NOTED THAT THE HOA HAO HAD A GOVERNING BOARD OF 11 PEOPLE WHO HAD BEEN ELECTED BY A HOA HAO CONGRESS IN MAY 1999. WHEN ASKED ABOUT FOLLOWERS WHO MIGHT DISAGREE WITH THE SELECTION OF THOSE LEADERS, MR. HIET ASSERTED THAT VIETNAMESE CITIZENS ARE FREE TO WORSHIP AND FOLLOW THEIR BELIEFS BUT THAT THEIR RELIGIOUS ORGANIZATIONS MUST BE LEGAL. HE REJECTED A HYPOTHETICAL COMPARISON WITH MARXIST-LENINISTS IN THE US WHO WOULD NOT AGREE TO A LEADERSHIP STRUCTURE ORGANIZED BY THE USG.

¶4. (SBU) MR. HIET ADMITTED THAT GOVERNMENTAL AUTHORITY IN VIETNAM WAS "HIGHER" THAN THAT OF RELIGIOUS ORGANIZATIONS BUT CLAIMED THAT THE STATE DID NOT INTERFERE IN THE INTERNAL WORKINGS OF RELIGIOUS AFFAIRS. HE NOTED THAT, WHILE RELIGIOUS ORGANIZATIONS HAD TO ASK PERMISSION TO HOLD AN ORGANIZATIONAL CONFERENCE, THE GOVERNMENT GAVE THAT PERMISSION. WHEN

MR. GUNDERSON ASKED HOW MUCH FREEDOM OF RELIGION EXISTED IF THESE GROUPS HAD TO ASK PERMISSION OF THE GOVERNMENT EVEN TO MEET, MR. HIET CLAIMED THAT EVERY COUNTRY HAS RULES GOVERNING THE SETTING UP OF ORGANIZATIONS. HE CLARIFIED THAT THROUGH A REGISTRATION PROCESS, THE GOVERNMENT LEARNS THE PURPOSES AND PROPOSED ACTIVITIES OF THE ORGANIZATION TO ASCERTAIN WHETHER THE ORGANIZATION IS PURELY RELIGIOUS OR IF IT HAS POLITICAL AIMS THAT COULD BE HARMFUL TO THE COUNTRY.

15. (SBU). MR. REES ASKED ABOUT THE LEADERS OF THE UNCLASSIFIED

PAGE 04 HANOI 02088 01 OF 02 270722Z
UNITED BUDDHIST CHURCH OF VIETNAM (UBCV), TWO OF WHOM - THICH QUANG DO AND THICH HUYEN QUANG - APPEARED TO HAVE BEEN IMPRISONED OR HELD UNDER "PAGODA ARREST" SIMPLY FOR THE EXERCISE OF THEIR RELIGION. HE ASKED THAT, AS AN ACT OF COMPASSION, THE GVN RELEASE THEM AND ALLOW THEM TO MEET FREELY AND TO TRAVEL FOR NEEDED MEDICAL CARE. MR. HIET REVIEWED THEIR HISTORY, NOTING THAT BOTH HAD BEEN CONVICTED BY A COURT IN 1977 FOR SLANDER, NOT FOR THEIR RELIGIOUS BELIEFS, BUT GIVEN SUSPENDED SENTENCES. IN 1980, THEY COMMITTED ACTS OF SLANDER AGAIN AND WERE TRIED BUT NOT PUT IN JAIL. IN 1995, THEY COMMITTED OTHER SIMILAR ACTS AND WERE TRIED AGAIN. HE STRESSED THAT THEY HAD NOT BEEN IMPRISONED FOR 24 YEARS BUT THAT LEGAL ENTITIES HAD HANDLED THEIR CASES AS SPECIFIED BY THE LAW.

16. (SBU) MR. REES ALSO RAISED THE CASES OF FATHER NGUYEN VAN LY AND FIVE HOA HAO LEADERS, AND URGED THE GVN TO RELEASE THEM AS AN ACT OF CONCILIATION, WHICH WOULD BOTH ELIMINATE NEGATIVE INTERNATIONAL PRESS ABOUT LACK OF RELIGIOUS FREEDOM IN VIETNAM AND MARK AN ENORMOUS STEP FORWARD. REGARDING FATHER LY, MR. HIET CLAIMED THAT THE CASE WAS NOT ABOUT RELIGIOUS FREEDOM ISSUES, THAT THERE WAS NO RELIGIOUS SUPPRESSION IN VIETNAM, AND THAT THOSE WHO VIOLATED LAWS WERE SUBJECT TO ARREST AND COURT TRIALS. HE SAID THE CHARGE AGAINST FATHER LY WAS BASED ON ARTICLE 269 OF THE CRIMINAL CODE FOR ATTACKING OR SLANDERING THE GOVERNMENT. FATHER LY HAD IGNORED WARNINGS NOT TO CONTINUE SUCH SLANDERS AS UNCLASSIFIED

PAGE 02 HANOI 02088 02 OF 02 270722Z
WELL AS LIMITATIONS ON HIS TRAVEL.

17. (SBU) MR. REES ASKED ABOUT REPORTS THAT HMONG IN NORTHWEST VIETNAM HAD BEEN PRESSURED TO RENOUNCE CHRISTIANITY, AND WHETHER THE COMMITTEE ON RELIGION HAD ANY PROCEDURES TO INVESTIGATE SUCH REPORTS. MR. HIET RESPONDED BRIEFLY THAT THE GVN HAD NEVER FORCED ANYONE TO GIVE UP HIS RELIGION BUT THAT IF LOCAL OFFICIALS HAD DONE SO, THEY COULD BE PROSECUTED AND PUNISHED FOR VIOLATING THE LAW PROHIBITING DISCRIMINATION BASED ON RELIGIOUS BELIEF.

COMMITTEE FOR ETHNIC MINORITIES AND MOUNTAINOUS AREAS

18. (SBU) IN A DISCUSSION FOCUSING ON MONTAGNARDS AND THE SITUATION IN THE CENTRAL HIGHLANDS, DIRECTOR GENERAL TRUONG HO TO DESCRIBED THE VARIABLE DEVELOPMENT OF SOME GROUPS AND REGIONS WITHIN VIETNAM AS WELL AS OF VIETNAMESE LAWS. HE DESCRIBED THE ROLE OF THIS COMMITTEE AS DEALING WITH LAWS AND POLICIES OF THE GVN REGARDING MINORITIES. THE NATIONAL ASSEMBLY HAS 12 PCT MINORITY REPRESENTATION EVEN THOUGH ETHNIC MINORITIES MAKE UP ONLY 11 PCT OF THE TOTAL POPULATION. A COUNCIL OF ETHNIC MINORITY DELEGATES ADVOCATES MINORITY INTERESTS WITHIN THE NATIONAL ASSEMBLY. HE POINTED TO PROVISIONS OF THE 1992 CONSTITUTION PROHIBITING DISCRIMINATION ON BASIS OF ETHNIC ORIGIN AND ENSURING THE EQUALITY OF ALL 54 NATIONALITIES WITHIN VIETNAM. HE CLAIMED THAT THE GVN HAD NEVER ENCOUNTERED ANY CASES OF SUCH DISCRIMINATION. HOWEVER, HE NOTED THAT ANY ACTS THAT VIOLATE THE LAW OR CAUSE INSTABILITY WOULD BE UNCLASSIFIED

PAGE 03 HANOI 02088 02 OF 02 270722Z
PUNISHED. HE CLAIMED TO HAVE NO INFORMATION REGARDING THE REPORTED ARRESTS OF 52-56 MONTAGNARDS INVOLVED IN THE RECENT DEMONSTRATIONS IN THE CENTRAL HIGHLANDS, ALTHOUGH HE POINTEDLY SAID THAT HE HAD NOT SAID WHETHER SUCH REPORTS WERE TRUE OR FALSE. HE CITED OTHER MEDIA REPORTS CLAIMING THAT MONTAGNARDS FELT CHEATED AND SPLIT WITHIN THEIR OWN COMMUNITY AFTER THEIR LIVES HAD BECOME MORE UNSTABLE AS A RESULT OF THESE DEMONSTRATIONS.

19. (SBU) MR. GUNDERSON INQUIRED ABOUT THE MECHANISMS OF THE GVN TO ENSURE THE PROTECTION OF THE RIGHTS OF MINORITIES GUARANTEED UNDER THE CONSTITUTION. MR. TO DESCRIBED THAT EVEN THOUGH THE CONSTITUTION PROMISES EQUALITY, THE GVN ACTUALLY GIVES EXTRA BENEFITS TO

MINORITIES, SUCH AS REGARDING EDUCATION, UNIVERSITY ENTRANCE, AND, SOMETIMES LIGHTER CRIMINAL SENTENCES. THE MINISTRY OF JUSTICE, WORKING WITH THIS COMMITTEE, CONSIDERS "TRADITIONAL LAWS" THAT REFLECT LOCAL MINORITY CULTURES, EXCEPT IN CASES WHERE TRADITIONAL PUNISHMENTS WERE MORE SEVERE THAN GOVERNMENT NORMS.

¶10. (SBU) MR. GUNDERSON NOTED THAT THE TREATMENT OF MINORITIES IN VIETNAM WAS IMPORTANT TO CONGRESS AND OTHERS IN PART BECAUSE OF THE INTEREST OF CONSTITUENTS, AND THAT THE TREATMENT OF THESE GROUPS SHAPED VIEWS IN THE US ABOUT VIETNAM. MR. TO SAID THAT THE HMONG WERE "JUST CITIZENS" WITH THE SAME RIGHTS AND RESPONSIBILITIES AS OTHER VIETNAMESE CITIZENS AND THAT THE GVN WAS VERY CONCERNED ABOUT MINORITY CULTURES.

UNCLASSIFIED

PAGE 04 HANOI 02088 02 OF 02 270722Z

¶11. (U) STAFFDEL DID NOT HAVE AN OPPORTUNITY TO CLEAR THIS MESSAGE BEFORE DEPARTURE. HARTER

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